DY #15

The Fifth Assembly, Third Sessions.

Beginning the 25th Day of *March*, and ending the 24th Day of *April*, *Anno Regni Regis* Gulielmi *nunc Angliæ, Scotiæ, Franciæ & Hiberniæ, Sexto.*

An Act for the better enabling the Executors of Thomas Lloyd, *Esq; deceased, for selling of Lands for the payment of Debts, and Portions settled by the said* Thomas Lloyd *and* Patience *his Wife, upon her Children by her former Husband* Robert Story, *deceased.*

WHereas there are several pieces or parcels of ground, with the Houses and Appurtenances belonging, scituate without the North Gate of the City of New-York, with an Island, called, *Dyers* or *Oyster Island*, which *William* Dyer, late of New-York aforesaid, and *Mary* his Wife, both since deceased, by their Indenture of Bargain and Sale, dated the 23d day of *April*, 1686. made between them the said *William* and *Mary Dyer* of the one part, and *Thomas Lloyd*, then of New-York afore-said, of the other part, for the Consideration therein mentioned, did grant, bargain and sell unto the said *Thomas Lloyd*, to hold to him, his Heirs and Assigns forever, to the intent that the said *Thomas Lloyd* and his Heirs should from hence forth stand and be seized of the Premises, to the use of him the said *Thomas Lloyd* and *Patience* his then Wife, during their joynt natural Lives, & after the decease of either of them, to the use of the longest Liver of them, their Heirs and Assigns forever, as by the said Indenture, recorded in the Secretary's Office at New-York, relation being thereunto had, may more at large appear. And whereas the said *Thomas Lloyd* and *Patience* his said Wife, by their Deed Poll, dated the 30th day of *April*, 1686. importing a further Declaration of the Uses of the said recited Indentures of Bargain and Sale, to be, that the said several pieces or parcels of Ground, Island, Houses, and all other the said Premises, should be, and remain engaged as security for the payment of three hundred Pounds to *Enoch Story*, as part of the Legatory Portion given him by the last Will and Testament of *Robert Story*, his late Father, deceased; and the like

PHOTO BY HEH 19388

Sum of three hundred Pounds to *Mercy Story*, as part of her Legatory Portion given her by her ſaid deceaſed Father, *Robert Story*. And further, they the ſaid *Thomas Lloyd* and *Patience* his Wife, did thereby declare their further intent to be, That after the deceaſe of the longeſt Liver of them, the ſaid *Thomas* and *Patience* the ſaid ſeveral Parcels of Land, Iſland and all other the Premiſes, with the Appurtenances, the ſaid ſix hundred Pounds being firſt paid to the ſaid *Enoch* and *Mercy*, ſhould deſcend and come to the youngeſt Children of him the ſaid *Thomas Lloyd*, that is to ſay, to his Daughter *Elizabeth* and *Margaret*, and to their Heirs and Aſſigns forever, as by the ſaid Deed Poll recorded in the ſaid Office at *New York*, may more fully appear.

And whereas the ſaid *Thomas Lloyd* afterwards, to wit, in the year 1692. out of a generous Diſpoſition and good deſign to encourage and promote the improvement of the ſaid City, as well by paying the Debts due by *Robert Story* deceaſed, his Predeceſſors, as to anſwer his own private utility and [illegible]ions, did obtain the leave and concurrence of the then Mayor and principal Men of the Town, for the laying out of the ſaid ſeveral parcels of Ground into Lots and Streets ſuitable to accomodate the ſame. And thereupon he the ſaid *Thomas Lloyd* and *Patience* his ſaid Wife, not knowing but that their Sales of the Premiſes might create the Purchaſors a ſufficient and abſolute Title, did bargain and ſell ſome part of the ſaid Ground, with the Appurtenances, in order to diſcharge the ſaid 600 *l.* and other Debts, due from the Eſtate of the ſaid *Robert Story* deceaſed. And whereas the ſaid *Tho. Lloyd* by his laſt Will and Teſtament, dated the 10th of *September*, 1694. did impower his Executors, or any two of them, to ſell, diſpoſe and convey all his Eſtate, Right, Title and Intereſt of, in or to all or any part of his Land and Hereditaments in *New-York*, or elſe-where, and made his ſaid Wife *Patience Lloyd*, his Son *Mordicai Lloyd*, with *Iſaac Norris* and *David Lloyd*, his Executors, and ſhortly after dyed; after whoſe deceaſe the ſaid *David Lloyd* and *Iſaac Norris* took upon them the burthen of the ſaid Executorſhip, & with the conſent of the Overſeers of the ſaid *Robert Story*'s laſt Will, did pay unto the ſaid *Patience Lloyd* the ſaid 300 *l* ſo as aforeſaid ſecured to the ſaid *Enoch*, and alſo did pay the ſaid 300 *l.* ſo ſecured to the ſaid *Mercy*, unto her Husband *John Godfrey*, ſince their intermarriage, in full performance of the Condition or Proviſo contained in the ſaid Deed Poll, whereby the ſaid Premiſes were pledged and bound for the payment of the ſaid 600 *l.* aforeſaid. And whereas alſo, that although the ſaid *Elizabeth*, the ſurviving Daughter of the ſaid *Thomas Lloyd* is arrived to the age of nineteen years, and doth ſignifie her readineſs and aſſent to joyn with the ſaid Executors in any act or acts that may preclude and debar her and her Heirs from the ſaid remainder, or any other Right, Intereſt, Remainder or Reverſion of, in or to the ſaid ſeveral parcels of Ground, and other the Premiſes, or any part thereof, yet nevertheleſs, her Nonage, according the ſtrict Rules of Law, renders her incapable to execute any Conveyance for the releaſing her ſaid Right or Intereſt, by reaſon whereof the ſaid Executors are retarded in the Adminiſtration of the ſaid Eſtate, and in paying the Debts due by the ſaid *Robert Story* and *Thomas Lloyd* deceaſed, for want of having the ſaid Eſtate improved to the greateſt advantage by ſale. And the ſaid Purchaſors apprehending

hending themſelves likewiſe inſecure, Therefore for the further ſecurity of the Purchaſors aforeſaid, and better enabling of the ſaid Executors to ſell, convey and aſſure what remains unſold of the ſaid Ground and Premiſes, and that the ſame, when ſold, may be converted, according to the true intent and meaning of this Act, for the payment of the ſaid Debts of *Robert Story* and *Thomas Lloyd*, and to no other uſe and intent whatſoever. And after their ſaid Debts are well and truly paid, the reſidue and remainder, if any there ſhall be, to be equally divided, two thirds thereof unto the ſaid *Elizabeth Lloyd*, and the other third part unto the ſaid *Patience*, her Executors, Adminiſtrators and Aſſigns forever, according to certain Articles of Agreement made and concluded between the ſaid Executors and *Patience*, bearing date the 28th day of *March*, relation being thereunto had, may more fully and at large appear. May it pleaſe his Excellency *Benjamin Fletcher* Captain General and Governour in chief in and over the Province of New-York, *&c.* and Council and Repreſentatives of the ſame in General Aſſembly, at the humble Petition and Requeſt of the ſaid *Patience Lloyd*, *David Lloyd*, *Iſaac Norris*, *John Godfrey* and *Elizabeth Lloyd*, That it may be Declared and Enacted, and *Be it therefore Enacted by the Governour and Council, and Repreſentatives convened in General Aſſembly, & by the Authority of the ſame*, That the Enrollment and Record of the ſaid recited Deed Poll made by the ſaid *Thomas Lloyd* and *Patience* his ſaid Wife in manner aforeſaid, ſhall, by the Authority of this General Aſſembly be made void and cancelled, and that the Uſes and Remainders thereby raiſed, limitted and declared, or therein mentioned or intended to be raiſed, limitted or declared, ſhall from hence-forth ceaſe, determine and be utterly void and of none effect.

And to the end and intent that the ſaid Executors may be the better enabled to pay the ſaid Debts and Portions, and diſtribute the remainder or reſide of the ſaid Eſtate, if any there be, in manner aforeſaid, *Be it further Enacted by the Authority aforeſaid*, That they the ſaid Executors of the ſaid *Thomas Lloyds* laſt Will and Teſtament aforeſaid, their Heirs, Executors and Aſſigns may be enabled, and are hereby enabled and impowered by their Conveyance to be executed in due form of Law, as well to confirm the ſaid Sales ſo made by the ſaid *Thomas* and *Patience Lloyd* in his Life time, as aforeſaid, to the Purchaſors above-mentioned, and to every of them their Heirs and Aſſigns forever, as alſo to ſell, convey and aſſure all and every part of the ſaid ſeveral pieces of Ground, Iſland, and all other the Premiſes, with their and every of their Appurtenances remaining unſold by the ſaid *Thomas* and *Patience*, to hold to ſuch Perſon or Perſons as ſhall purchaſe the ſame in fee ſimple or otherwiſe, the ſaid recited Deed Poll, or any Article, Covenant, Clauſe, Proviſo or Condition therein, or in any other Deed whatſoever contained to the contrary in any wiſe notwithſtanding.

An

An Act for the raiſing of one hundred and twenty effective Men, to be imployed by his Excellency for the re-inforcing and ſtrengthening the Fronteers of the Province at Albany, *over and above the preſent Number of Forces poſted and imployed there for the ſafety of this and Neighbouring Provinces, to continue there for one whole year from the firſt of* May *next to the firſt of* May *in the year* 1697. *and for the raiſing the Sum of Two Thouſand Five Hundred Ninety Three Pounds, ſix Shillings and eight Pence, to be diſtributed by his Excellency, the Captain General, amongſt the ſaid Men, and the reſt of the four Companies ſent over by his Majeſty.*

WHereas the Forces lately ſent over by his moſt Excellent Majeſty, at the humble Requeſt and Deſire of his Excellency, his Majeſties Captain General, for the eaſe and ſafety of this Province, are ſince their arrival much weakened by Death, Deſertion and Sickneſs, and the ſtrength of the Fronteers at *Albany* thereby much leſſened, to the great endangering of this and the adjacent Neighbouring Plantations that place having been, ſince the War, the only Barrier and place of Defence, whereby the ſaid adjacent Plantations have been preſerved from the Violence and Incurſions of the Enemy. And whereas it is indiſpenſibly neceſſary that the ſaid Fronteers ſhould be re-inforced, and ſufficiently ſtrengthened for the future Safeguard of our ſaid neighbouring adjacent Plantations, and the like Preſervation of this Province, The Repreſentatives convened in General Aſſembly taking the ſame into their ſerious Conſideration, by the ſpecial direction of his Excellency's Speech made to them at the opening of this Seſſions of General Aſſembly, as a matter of great weight, and a Complyance thereunto as the beſt Return, and the moſt acceptable Service that his Majeſties Subjects in this Province can make unto his moſt ſacred Majeſty, who in the midſt of his Preſſures, and the great and bloody War his ſacred Perſon is engaged in, hath graciouſly condeſcended to remember the little handful of his People inhabiting in this his Majeſties Province, do therefore with the deepeſt Senſe, in moſt humble and moſt dutiful Acknowledgment of his Majeſties moſt gracious Favour in ſending Supplyes of Men, Artillary, and other Stores of War, for the eaſe and ſafety of his moſt Loyal Subjects inhabiting within his Majeſties ſaid Province, as well as in rendering an intire Obedience unto his Majeſties Royal Command, communicated in General Aſſembly by his Excellency, his Majeſties Captain General's Speech, as aforeſaid, Humbly pray that it may be Enacted, *And Be it therefore Enacted by his Excellency the Governour and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame,* That a Fund of Twenty five hundred ninety three Pounds, ſix Shillings and eight Pence, current Money of this Province, be laid aſſeſſed, raiſed and levyed upon all and every the Inhabitants, Reſidents, Sojourners and Free-holders of and in this Province, which together with the Sum of Two hundred Pounds, like current Money, raiſed formerly by virtue of an Act of Aſſembly, entituled, *An Act for the raiſing the Sum of*

Seven

Seven Hundred Pounds, &c. makes in the whole the Sum of Two Thouſand ſeven hundred ninety and three *Pounds*, ſix Shillings and eight *Pence*, to be imployed by his Excellency for the reinforcing and ſtrengthening the Fronteers of this Province at *Albany* with one hundred and twenty effective men, over and above the preſent Number of Forces poſted and imployed there for the ſafety of this and Neighbouring Provinces, and to remain and continue there for the ſaid ſervice, and to free the Inhabitants of the *Province* from Detachments, except in caſe of inevitable neceſſity, for the ſpace and during the term of one whole year, to commence on the firſt day of *May* next enſuing the publication hereof, and to end and terminate upon the firſt day of *May* then next following, which ſhall be in the year of our Lord 1697. which Number of Men are to be liſted and formed in ſuch ways, and after ſuch manner as his Excellency the Captain General ſhall think fit, and the ſaid Sum of 2793 *l.* 6 *s.* 8 *d.* to be imployed and diſtributed by his ſaid Excellency the Captain General, amongſt the ſaid Number of 120 effective Men, to be poſted and imployed for the re-inforcing and ſtrengthening the Fronteers, as aforeſaid, and the reſt of the four Companies ſent over by his Majeſty, for the eaſe and ſafety of this Province, in ſuch manner and Proportion as to his Excellency in his diſcretion ſhall be thought convenient and needful. To be laid, aſſeſſed, raiſed and paid unto His Majeſties Receiver General, for the time being, at the City of *New-York*, in two equal payments, the one moyety or equal half part of the ſaid Sum of 2593 *l.* 6 *s.* 8 *d.* at or before the 29th Day of *September* next, and the other moyety or equal half part thereof, at or before the 25th of *March* then next following, which ſhall be in the year of our Lord 1697. according to the ſeveral and reſpective Quota's and Proportions following, that is to ſay,

For the City & County of *New-York*, Seven hundred ninety ſeven Pounds nine Shillings, being their Quota & Proportion of 2593 *l.* 6 *s.* 8 *d.* for the Uſes aforeſaid.

For the County of *Weſtchester*, One hundred forty two Pounds, twelve Shillings and eight Pence, being their Quota and Proportion, as aforeſaid, for the Uſes aforeſaid.

For the County of *Richmond*, Sixty four Pounds, ſixteen Shillings and eight Pence, being their Quota & Proportion, as aforeſaid, for the Uſes afore-ſaid.

Kings County, Four hundred fifty five Pounds, two Shillings & eight pence, being their Quota and Proportion, as aforeſaid, for the Uſes afore-ſaid.

Queens County, Four hundred and ſeven Pounds, three Shillings, being their Quota and Proportion, as aforeſaid, for the Uſes aforeſaid.

Suffolk County, Four hundred ſixty ſix Pounds, ſixteen Shillings, being their Quota and Proportion, as aforeſaid, for the Uſes aforeſaid.

Ulſter & Dutches County, Two hundred thirty three Pounds eight Shillings, being their Quota and Proportion, as aforeſaid, for the Uſes aforeſaid.

And *Orange County*, Twenty five Pounds, eighteen Shillings and eight Pence, being their Quota & Proportion, as aforeſaid, for the Uſes aforeſaid.

And for the aſſeſſing, levying and paying the aforeſaid Sum of 2593 *l.* 6 *s.* 8 *d.* current Money aforeſaid, *Be it further Enacted by the Authority*

aforeſaid, That the Mayor and Aldermen of the City of *New-York*, the Juſtices of the Peace, the Aſſeſſors and Collectors, for the time being, of all and everythe reſpective Cities, Counties, Towns, Mannors, Liberties and Juriſdictions within this Province, are hereby required, impowered and authorized to ſummons, aſſeſs, collect and pay the ſeveral ſums of Money herein before mentioned, according to the Proportions before expreſſed, in ſuch ways and means, and according to ſuch manner, rule and direction, and under ſuch Pains and Penalties as is contained, enjoyned, preſcribed and directed in an Act of General Aſſembly, paſſed in the ſixth Year of his Majeſties Reign, entituled, *An Act for the raiſing and paying one hunared and ſeventy Men for the ſecuring the Fronteers of this Province in the City and County of* Albany: and all and every Article, Rule, Clauſe, Pains and Penalties mentioned in the aforeſaid Act, for or concerning the ſummoning, aſſeſſing collecting and paying, or refuſing and neglecting the Execution of their reſpective Duties therein required, ſhall be, abide & remain in full force and effect to all intents and purpoſes, nas full and ample manner, for the due Execution of this Act, until the iabove-ſaid Sum of 2593 *l.* 6 *s.* 8 *d.* be duely, fully and compleatly aſſeſſed, collected and paid, as above directed, as fully and in like manner as if the ſame were particularly and at large recited and ſet down in the Body of this Act, any thing contained therein to the contrary hereof in any wayes notwithſtanding. And the Mayor and Aldermen of the City of *New-York*, and all and every the Juſtices, Aſſeſſors and Collectors of the reſpective Cities and Counties aforeſaid, and all others herein concerned, are to take Notice hereof accordingly.

An Act for the Confirming and Continuing an Act of General Aſſembly made in fourth Year of his Majeſties Reign, entituled, An Act for the ſatisfying and paying the Debts of the Government, *Eighteen Months longer than the term therein mentioned, for the paying the Debts therein expreſſed.*

THe Repreſentatives convened in General Aſſembly, upon Examination, of the Debts of the Government, do find it abſolutely neceſſary tha the for Additional Duty be continued eighteen Months longer then the time limitted the expiration thereof, for the ends and purpoſes hereafter mentioned, and to no other purpoſe whatſoever. *Be it therefore Enacted by his Excellency, the Governour and Council, and Repreſentatives convened in General Aſſembly, and by the Authority of the ſame*, That an Act of General Aſſembly made in the fourth Year of his Majeſties Reign, entituled, *An Act for the ſatisfying and paying the Debts of the Government*, and ſince continued by two ſeveral Acts of General Aſſembly, for the purpoſes and ends therein mentioned, until thefourteenth day of *November* next, ſhall be continued and confirmed from the ſaid 14th day of *November* next, until the end and term of eighteen Kalander Months then next following, that is to ſay, from the ſaid 14th day of *November* next, until the 14th day of *May* that ſhall be in the Year of our Lord 1698. and no longer.

And it is further Enacted by the Authority aforeſaid, That the Additional Rates

Rates and duties, made payable upon Merchandizes and Liquors imported into this Province, by virtue of the ſaid Act, ſhall be levied, collected and paid unto his Majeſties Receiver General for the time being, at his Majeſties Cuſtom-Houſe in the City of *New York*, for the Term aforeſaid, and no longer, according to ſuch Rules and Directions, and under ſuch Pains, and Forfeitures as is contained and enioyned by the ſaid Act. And the aforeſaid Act and every Article, Rule and Clauſe therein mentioned, ſhall be, abide, continue and remain in full force, virtue and effect, to all intents and purpoſes, for the payment of the ſaid Sums of Money hereafter mentioned, in ſuch due and equal Proportions as in the aforeſaid Act is expreſſed and directed, and to no other purpoſe or in tent, or in any other manner or proportion whatſoever, as fully and in like manner as if the ſame were particularly and at large recited and ſet down in the Body of this Act, any thing contained in the aforeſaid Acts to the contrary hereof in any ways notwithſtanding.

And to the end that the Rates and Duties paid in manner aforeſaid, and now in hand by virtue of the ſaid Acts, and the Rates and Duties that are to be paid by virtue of this Act, may be duely, truly, and in the proportions aforeſaid, paid and imployed unto the ſeveral and reſpective Perſons and Uſes hereafter mentioned, and to no other uſe, purpoſe or intent whatſoever, *Be it further Enacted by the Authority aforeſaid*, That the Sum of Two Thouſand ſeven hundred thirty four Pounds eleven Shillings and three Farthings now in hand, and raiſed by virtue of the ſaid Acts, be diſtributed according to the Proportions aforeſaid, amongſt the Perſons and to the Uſes hereafter mentioned; and the reſidue and remainder that ſhall ariſe and become payable by virtue of this Act, to be likewiſe diſtributed in like manner as aforeſaid, unto the purpoſes hereafter mentioned, until the ſame be compleatly paid and ſatisfied, that is to ſay, for the paying and ſatisfying of 317 *l.* 13 *s.* 1 *qr.* due from the Government for Incidental Charges expended for the ſecurity of the Fronteers from the 28th Day of *March*, 1691. to the firſt day of *May*, 1696. And likewiſe for the paying and ſatisfying the Sum of 250 *l.* together with the Intereſt of *Ten per Cent. per Annum*, until the ſame be paid, due for the pay of the Officers and Souldiers of Major *Schuylers* Company, according to eſtabliſhment. And likewiſe the Sum of 1056 *l.* 13 *s.* 11 *d.* 1 *qr.* to Coll. *Stephanus Courtlandt*, being a Debt due to him from the Government, and for the payment thereof the Additional Duty was firſt raiſed. And likewiſe the Sum of 1103 *l.* 9 *s.* 8 *d.* 1 *qr.* to Major *Brockholſt* and Capt. *Baxter*'s Company, being a Debt due as laſt aforeſaid. And likewiſe the Sum of 74 *l.* 8 *s.* to Major *Weſſells* being a Debt due as laſt aforeſaid. And likewiſe the Sum of 1224 *l.* 6 *s.* 4 *d.*, being a Debt due to the Magiſtrates of *Albany*, as laſt aforeſaid. And likewiſe the Sum of 77 *l.* 8 *s.* 8 *d.* 1 *ob.* being a Debt due to *Thomas Clark*, as laſt aforeſaid. And alſo the Sum of 15 *l.* being a Debt due to *John Roſie*, as laſt aforeſaid. And alſo the Sum of 15 *l.* being a Debt due to *David Schuyler*, as laſt aforeſaid. The whole of the ſaid Debts, for which the ſaid Additional Duty & Rates was firſt raiſed, amounting to the Sum of Three Thouſand five

five hundred ſixty ſix Pounds ſix Shillings & eight Pence. And likewiſe for finiſhing of his Majeſties Chappel in the Fort the Sum of 400 *l.* And likewiſe the Sum of 150 *l.* to Coll. *Richard Ingoldsby*, for the defraying the extraordinary Charge he has been at by being poſted at *Albany* for the ſecurity of the Fronteers. All which Debts and Sums of Money amount in the whole unto the Sum of Four Thouſand Seven Hundred Thirty Three Pounds Nineteen Shillings and Eight Pence Farthing.

And for the more regular payment of the Debts aforeſaid, *Be it further Enacted by the Authority aforeſaid*, That within one Moneth after the Publication hereof the ſeveral and reſpective Creditors heretofore mentioned and expreſſed, ſhall regiſter, or cauſe to be regiſtered the Debts due to them reſpectively, in a Book, at his Majeſties Cuſtom-houſe of New-York, which his Majeſties Receiver General, for the time being, ſhall have for that purpoſe, wherein he ſhall likewiſe keep a perfect and diſtinct Account of the Rates and Duties upon Merchandize, that ſhall become payable unto him by virtue of this Act, and the ſame ſhall adjuſt every three Months, and make payment thereof to the Perſons above-mentioned, their Executors, Adminiſtrators or Aſſigns, in Quarterly payments, and in equal Proportion, according to the greatneſs and ſmallneſs of the ſeveral and reſpective Sums aforeſaid, and to no other uſe, purpoſe, nor in any other manner or way whatſoever, any thing contained herein to the contrary hereof, or in any other of the ſaid Acts notwithſtanding.

Reaſons offered to the Council by his Excellency the Governour, againſt paſſing the Bill raiſing 2593 l. 6 s. 8 d.

Firſt, THe Bill does not anſwer the end, there is no Proviſion made for the Expence of Officers that muſt be imployed to the Neighbouring Collonies, in raiſing of the Men, nor for the incidental Charge of marching and tranſporting the Men to the Fronteers, if they can be raiſed, (which is yet a doubt) And allowing the Money to be all ſolvent, and paid at the time appointed (which can never be expected) it cannot anſwer the Sum of three Pounds a Man, Levy Money, which muſt be inſtantly paid them in hand.

Secondly, If theſe Men cannot be levyed upon this Encouragement, there is no Proviſion made for the ſecurity of the Province. Money without hands gives no Defence. And though you may allow me to be judge of the *Inevitable Neceſſity*, the Repreſentatives plainly ſhow they are not of this Opinion, by refuſing to allow ſuch a Proviſo to be put in the Bill.

Thirdly, By this Bill the Power of Detachments ſeems to be cut off for a twelve Month, the words [*Inevitable Neceſſity*] will need an Explanation, which

when the Aſſembly (as they have done in another caſe) will always pretend to be judges of, by which means the People will be blown up to a flame and deny Obedience to my Commands, be the Neceſſity never ſo great and inevitable.

Reaſons offered by the Council for the paſſing of the Bill for raiſing Two Thouſand five hundred Ninety three Pounds, ſix Shillings and eight Pence, &c. as amended by the Aſſembly, the 23d of April, 1696.

WE are humbly of Opinion with your Excellency, That this *Bill* does not fully nor perfectly anſwer the end, but we do humbly offer, That after many Debates and Conferences with the Committees of the ſaid Aſſembly upon theſe Heads, We do not find any other better ways or means can be at preſent obtained. And that although there is by the ſaid Act no proviſion made for incidental Charges, that muſt certainly accrue in the imploying Officers for the procuring, levying and tranſporting ſuch men as ſhall be ſo got, yet in regard the diſpoſition of this Money for this end, is left to be imployed, as your Excellency ſhall judge fit, We are of Opinion, That ſuch part thereof as may be needful, and can be preſently raiſed, may be properly applicable to the imploying Officers, for that end, to the Neighbouring Provinces.

To the *Second*, We are humbly of Opinion, That though in expreſs words, in caſe the way of raiſing Men by this *Bill*, without Detachment, fail, there is no other certain way propoſed, yet we are humbly of Opinion, That if after all means uſed for levying theſe Men without Detachments, they cannot be got, it muſt then be underſtood, there will then be an Inevitable Neceſſity for detaching Men out of this Province, and that your Excellency will be pleaſed to ſend for the whole Houſe, and ſo explain that Clauſe to them.

To the *Third*, We do humbly offer our Opinion to your Excellency, That by this Act, your Excellency's Power of Detaching is not cut off, but reſtrained, as in the fore-going Article is explained, and ſuch an Explanation muſt prevent all Miſ-interpretations on that Head.

For which Reaſons, We are humbly of Opinion, That it is agreeable to his Majeſties Service, and for the eaſe and benefit of this Province, that your Excellency do give your aſſent unto the ſaid Bill, which is humbly ſubmitted by

Your Excellency's Obedient Servants,

N. Bayard; *W. Pinhorn,*
S Cortland, *P. Schuyler,*
C. Heathcote, *W. Smith.*
G. Maunveil,

His Excellency the Governour's Speech to the Assembly at their Adjournment, April 24. 1696.

Mr. Speaker, and you Gentlemen Representatives;

THis is the chief Bill upon which our Safety hinges, its for Money to levy Men to recruit his Majesties Companies, for the Strengthening of the Fronteers: I have some Exceptions to the wording of it, and the Substance: I was against the passing of it, and gave my Reasons to the Council: It does not seem to answer the end. The Gentlemen of the Council have given me their Opinions under their Hands for passing of it. I have resigned my Reason to theirs, and therefore pass it.

Gentlemen, I am as tender of the Peoples Ease as any of you, and have earnestly both studied that and their safety. Yet if Men cannot be found for the encouragement you enable me to give, notwithstanding the endeavours and pains I shall take to procure them, and the Fronteers become weak and exposed, I shall think the necessity of Detachments *Inevitable*, being resolved not to lose one foot of this Province while I have Hands to defend it. When the Disease is desperate, the Cure must be so, and as this is the sharpest Remedy, it shall be the last I shall use, and obvious to all good Men the necessity is inevitable.

The *Second* is a Bill for payment of Debts, contracted long before my arrival: It is commendable in you to keep up the Credit of the Government. I have been as good a Husband of the King's Revenue as ever I was of my own private Fortune. I understand not an Account, I left that part to the Gentlemen of the Council, who are of the greatest Interest amongst you, whom I believe to be honest Men, and to have dealt fairly in the matter of the Publick Accounts.

The *Third* is a Bill to cut off a Deed of Trust, with Uses, for payment of Debts, it is private. I suppose most of your Affairs will call you home I think fit to adjourn you to the 29th of *September* next, and desire Mr, Speaker to adjourn the House accordingly.

Printed by *William Bradford*, Printer to the King's Excellent Majesty, at the Bible in *New-York*, 1696.